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Agenda item 5 (d)

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS: HUMAN RIGHTS QUESTIONS

Letter dated 26 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Albania to the United Nations Office at Geneva addressed to the Secretary-General

I have the honour to inform you that the attached text constitutes the official response of the Government of Albania to the Memorandum from the Federal Republic of Yugoslavia (Serbia and Montenegro) on the status of the members of the Yugoslav national minorities in the Republic of Albania, also contained in Economic and Social Council document E/1995/88.

I should be grateful if you would have the present letter and the annexed text circulated as an official document of the Economic and Social Council under the item entitled "Social, humanitarian and human rights questions: reports of subsidiary bodies, conferences and related questions: human rights questions".

(Signed) Andi GJONEJ
Chargé d'affaires a.i.

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Annex

OFFICIAL RESPONSE OF THE GOVERNMENT OF ALBANIA TO THE MEMORANDUM FROM THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) ON THE STATUS OF THE MEMBERS OF THE YUGOSLAV NATIONAL MINORITIES IN THE REPUBLIC OF ALBANIA

The Government of the Republic of Albania considers the contents of the "Memorandum on the status of the members of the Yugoslav national minorities in the Republic of Albania", circulated by the Federal Republic of Yugoslavia (Serbia and Montenegro), and which appeared in Economic and Social Council document E/1995/88, to be false, absurd, and dangerous. Firstly, it constitutes a desperate effort by Belgrade to distract public opinion and international organizations from the serious problems which currently concern the Balkans and Europe as a whole. Secondly, it is an attempt to further extend the chauvinistic demands of the Serbs. The policy that "attack is the best form of defence", which has been applied yet again in this case, is by now too well-used to pass unnoticed.

In circumstances in which the Belgrade Government is widely recognized as the champion of double standards, and the situation of Albanians living on their own lands in Kosovo is increasingly grave and alarming as a result of the Serbs' repressive and truly genocidal activities, the entire content of the Serbian memorandum is simply ridiculous.

At a time when there can be little doubt as to the nationalistic and aggressive nature of Serbian policy, it would be inappropriate to spend very much time on repeated, absurd scenarios. The Albanian Government, however, wishing to provide the necessary information to the international bodies to which the aforementioned memorandum has been presented, and to reaffirm the importance it attaches to strict respect for the international standards and principles regarding human rights and the rights of national minorities, considers that it is reasonable to present the following explanations:

(a) The term "Yugoslav national minorities", which appears in the memorandum from the Federal Republic of Yugoslavia (Serbia and Montenegro), is not legally recognized;

(b) According to the latest census, dated 1989, which is the only official source, the number of people declared to be of Serbian and Montenegrin nationality is extremely small (as the memorandum is forced to admit), namely, a total of 100 persons. Therefore, on the basis of number, which is the most important factor, they cannot be considered as a minority group;

(c) The number of members belonging to an association can in no case be considered as equivalent to the number of persons having a particular nationality;

(d) Albania has comprehensive human rights legislation, which is entirely in keeping with European and international standards;

(e) The Albanian State has demonstrated, on the basis of facts, that it is fully prepared to show strict respect for the human rights of all Albanian citizens, regardless of their nationality. That preparedness has been confirmed in a number of reports drawn up by representatives of international organizations who have visited our country;

(f) The very fact that a register is kept of the associations mentioned in the memorandum, which even have Slavic names (the Rozafa-Moraca association, registered in Tirana, and the "Coexistence and Harmony" and "Zelena Gora" associations, registered in Shkodra), is a sign of the tolerance and the correct attitude of the Albanian State;

(g) The Republic of Albania remains fully committed to respecting human rights and fundamental freedoms in accordance with national legislation, as well as its international obligations. This is first and foremost a consequence of the nature of the State and of Albania's democratic society.

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Resumed substantive session of 1995
New York, October-December 1995
Item 1 of the provisional agenda

ADOPTION OF THE AGENDA

Provisional agenda

1. Adoption of the agenda.

Coordination segment

3. Coordination of the policies and activities of the specialized agencies and other bodies of the United Nations system related to the following theme:

   (a) Coordinated follow-up by the United Nations system and implementation of the results of the major international conferences organized by the United Nations in the economic, social and related fields.

General segment

5. Social, humanitarian and human rights questions: reports of subsidiary bodies, conferences and related questions:

   (d) Human rights questions;

   (e) Advancement of women;

   (f) Social development questions.

6. Economic and environmental questions: reports of subsidiary bodies, conferences and related questions:

   (e) Implementation of the Programme of Action of the International Conference on Population and Development;

   (q) Public administration and development.

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12. Programme and related questions in the economic, social and related fields:

(b) Calendar of conferences and meetings in the economic, social and related fields for the biennium 1996-1997.

Annotations

Coordination segment

Item 3. Coordination of the policies and activities of the specialized agencies and other bodies of the United Nations system related to the following theme

(a) Coordinated follow-up by the United Nations system and implementation of the results of the major international conferences organized by the United Nations in the economic, social and related fields

1. In its agreed conclusions/1995/1, the Economic and Social Council decided that a theme related to the follow-up of conferences, to be considered at the coordination segment, should be chosen at the Council's previous substantive session to allow for adequate preparations by the functional commissions, other relevant intergovernmental bodies and the Secretariat. The Council also invited the Secretary-General, taking into account the suggestions made in paragraph 57 of his report (E/1995/86) and based on the work of relevant subsidiary bodies and through consultations with Member States, relevant organs of the United Nations system and specialized agencies, to offer suggestions for possible common themes for consideration and decision by the Council. The suggestions of the Secretary-General will be before the Council at its resumed substantive session for consideration and decision.

Documentation

Report of the Secretary-General on coordinated follow-up to major international conferences in the economic, social and related fields (E/1995/86)

General segment

Item 5. Social, humanitarian and human rights questions: reports of subsidiary bodies, conferences and related questions

(d) Human rights questions

2. Establishment of a working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994. In its resolution 1995/32, the Economic and Social Council authorized the establishment, as a matter of priority and from within existing overall United Nations resources, of an open-ended inter-sessional working group of the Commission on Human Rights with the sole purpose of elaborating a draft United Nations declaration on the rights of indigenous peoples.

3. In the same resolution, the Economic and Social Council invited applications from organizations of indigenous people not in consultative status with the Economic and Social Council that were interested in participating in the Working Group, and requested the Coordinator of the International Decade of the World's Indigenous People to forward all applications and information received to the Committee on Non-Governmental Organizations. The Council also requested the Committee on Non-Governmental Organizations to meet as necessary to examine the applications and, having considered all relevant information, to recommend to the Council those organizations of indigenous people that should be authorized to participate in the Working Group, including at its first session in 1995.

4. The Council will have to consider the report of the Committee on Non-Governmental Organizations (E/1995/108) as regards recommendations for accreditation of non-governmental organizations to the open-ended inter-sessional working group of the Commission on Human Rights.

(e) Advancement of women

5. Proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women. In its resolution 49/160, the General Assembly requested the Secretary-General to submit to the Economic and Social Council, through the Advisory Committee on Administrative and Budgetary Questions, an updated report, which would contain, inter alia, the information requested in Council decision 1993/235 of 27 July 1993 and in paragraphs 2 and 3 of Assembly resolution 48/111, as well as the additional information requested by the Advisory Committee.

6. In the same resolution, the Assembly requested the Council to re-examine the issue, at a resumed session to take place after the Fourth World Conference on Women and before the Third Committee of the General Assembly considered the item on the advancement of women, taking into account the deliberations of the Commission on the Status of Women at its thirty-ninth session, of the Fourth World Conference on Women and of the Advisory Committee on Administrative and Budgetary Questions concerning institutional arrangements in the United Nations system for the advancement of women.

Documentation

Report of the Secretary-General on the proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women

(f) Social development questions

7. (i) Tenth anniversary of the International Youth Year and world programme of action for youth to the year 2000 and beyond. At its 50th plenary meeting, on 24 July 1995, the Economic and Social Council decided, as recommended by the Commission for Social Development in its resolution 34/1, to establish an open-ended working group on youth during its resumed substantive session in September 1995, building upon the progress achieved by the open-ended working group of the Commission at its thirty-fourth session, to complete the

formulation of the draft world programme of action for youth to the year 2000 and beyond, to be submitted by the Secretary-General to the General Assembly at its fiftieth session (decision 1995/251).

Documentation

Note by the Secretary-General transmitting the final draft of the world programme of action for youth to the year 2000 and beyond

8. (ii) Substantive theme to be considered by the Commission for Social Development at its special session. In its resolution 1995/60, the Economic and Social Council decided that the Commission for Social Development should hold a special session in 1996, in order, inter alia:

(a) To review its mandate, terms of reference and scope of work;

(b) To elaborate its multi-year programme of work;

(c) To review the frequency of its meetings in light of the above and make recommendations thereon to the Council.

9. In the same resolution, the Council also decided that the substantive theme to be considered during the special session of the Commission in 1996 should be determined at the resumed substantive session of 1995 of the Council.

Item 6. Economic and environmental questions: reports of subsidiary bodies, conferences and related questions

(e) Implementation of the Programme of Action of the International Conference on Population and Development

10. In its resolution 1995/55, the Economic and Social Council decided to enlarge the membership of the Commission on Population and Development at a resumed session of the Council no later than 31 December 1995, recognizing the importance of adequate representation.

(q) Public administration and development

11. In its resolution 49/136 on public administration and development, the General Assembly requested the Secretary-General to submit a consolidated report, through the Economic and Social Council to the Assembly at its resumed fiftieth session, containing an analysis of the role of public administration in development and recommendations for strengthening the role of the United Nations in public administration and development for the benefit of interested developing countries and countries with economies in transition.

Documentation

Report of the Secretary-General

Report of the Twelfth Meeting of Experts on the United Nations Programme in Public Administration and Finance

Item 12. Programme and related questions in the economic, social and related fields

(b) Calendar of conferences and meetings in the economic, social and related fields for the biennium 1996-1997

12. (i) In its decision 1995/311, the Economic and Social Council decided to retain the item entitled "Programme and related questions in the economic, social and related fields" in the agenda of its substantive session of 1995 in order to consider the question of the biennialization of the meetings of its subsidiary bodies. The Council will have before it for consideration the provisional calendar of conferences and meetings for 1996 and 1997 in the economic, social and related fields.

13. (ii) Programme of work in crime prevention and criminal justice. In its decision 1995/315, the Economic and Social Council decided to defer consideration of the draft resolution entitled "Programme of work in crime prevention and criminal justice" (E/1995/L.55) to its resumed substantive session of 1995.

Documentation

Note by the Secretariat containing the provisional calendar of conferences and meetings for 1996 and 1997 in the economic, social and related fields (E/1995/L.20 and Add.1)

Draft resolution entitled "Programme of work in crime prevention and criminal justice" (E/1995/L.55)